

REMARKS

Respectfully requested is reconsideration of this application in view of the foregoing amendments and following remarks.

Claims 1-5 were pending.

At the outset, the indication of allowable subject matter in original claim 2 is acknowledged with appreciation. By this paper, claim 2 is cancelled without prejudice or disclaimer and independent claim is amended to recite, *inter alia*, “wherein image signals are generated in the pixels from light passing through gaps between the optical elements of said optical element array.” Support for these amendments is found throughout the application as originally filed including, for example, originally filed claim 2. No new matter will be added to this application by entry of these amendments. Entry is requested.

The specification was objected to because the title of the invention was not sufficiently descriptive in the Examiner’s view. This amendment to the title is shown above, and is believed to resolve the pending objection. Applicant notes, however, that the title is been amended to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure and to aid indexing, classifying and searching. 37 C.F.R. § 1.72(b); MPEP § 606.01. This amendment is *not* intended to narrow, limit, alter or otherwise characterize what Applicant regards as the invention. It is, of course, the claims and not the title or abstract that defines the invention being claimed.

The office action made several rejections. First, claims 1 and 5, were rejected pursuant to 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,410,804 to Stauffer (“Stauffer”). [3/8/07 Office Action at pp. 2-3]. Second, claim 3 was rejected pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over Stauffer in view of U.S. Patent No. 5,257,133 to Chen (“Chen”). [3/8/07 Office Action at pp. 4-5]. Third, claim 4 was rejected pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over Stauffer in view of U.S. Patent No. 5,675,149 to Wood et al. (“Wood”). [3/8/07 Office Action at pp. 5-6].

These rejections are respectfully asserted to be moot. The office action recognizes that Stauffer, Chen and Wood fail to teach, disclose or suggest “wherein image signals are generated in the pixels from light passing through gaps between the optical elements of said optical element array” as recited in Applicants’ claim 1. [3/8/07 Office Action at p. 6]. Dependent claims 3- 5 are believed to be patentable for at least similar reasons.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicant has chosen not to submit evidence to traverse the rejection at this time. Applicant, however, reserves the right, as provided by 37 C.F.R. §§ 1.131 and 1.132, to do so in the future as appropriate. Finally, Applicant has not specifically addressed the rejections of the dependent claims. Applicant

respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

CONCLUSION

This application is respectfully asserted to be in condition for allowance.

An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5230.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By:

Matthew K. Blackburn
Registration No. 47,428

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700
(212) 415-8701